19 March 2019

Issued by the Working Group on Effective Treaty Implementation

Original: **English**

Dear all,

The Working Group on Effective Treaty Implementation (WGETI) held its first meeting in the context of the preparatory process for CSP5 on 29-30 January. This meeting focused its attention on three priority issues, namely implementation of ATT Article 5, Articles 6 & 7 as well Article 11. Discussions on these items were led by the three appointed facilitators.

Discussions at the January meetings were productive and a significant number of elements requiring further discussions or elaboration was identified. The three facilitators played an important role in steering the work of the sub-working groups to such ends.

The second meeting of the WGETI will seek to build on and take forward the discussions of the January meeting. The structure of work and approach adopted for the previous meeting will be broadly maintained for the next meeting, and accordingly:

- Mr. Leonard TETTEY (Ghana) will continue to facilitate work on Article 5;
- Mr. Ulf LINDELL (Sweden) will facilitate work on Articles 6& 7 (in replacement of Mr. Daniel NORD);
- Ms. Samantha ALLEN (Jamaica) will facilitate work on Article 11.

Additional discussion

In addition to the three sub-working groups meetings, I intend to conduct a session to discuss two additional items.

The first item that I intend to address concerns the gender dimension of ATT implementation. If we are already addressing the issue of GBV and Article 7(4) as part of our work, there may be other gender aspects to ATT implementation. It would be important to capture them in view of the overall objectives of the ATT Presidency.

The second item that requires a dedicated exchange concerns the activities that the WGETI should undertake in the period after CSP5. I will invite participants to share their views on the implementation challenges that the WGETI should address in priority going forward. The objective of this exchange is to provide elements for consideration to CSP5 so that it can take an informed decision on the way forward.

Objectives and preparation for the May meeting

The activities of the WGETI will continue to be guided by two central objectives: to address ATT implementation in a concrete form and to achieve tangible results. The second meeting will seek to build on the achievements of the January meeting. It will also be guided by the proposed next steps included in the *Chair's summary report* for the first meeting issued on 21 February as well as the feedback received thereon.

In order to prepare for the April meeting, the facilitators of each sub-working group have prepared a programme for their respective session that you will find herewith. Furthermore, the programmes include revised documents and, where necessary, background documents to facilitate discussion of certain issues. Two documents (attached to this letter as Annex A and Annex B respectively) have also been prepared to inform and guide the additional session on *Gender and ATT Implementation* and *WGETI Focus in the Period following CSP5*.

Participants are invited to consider the attached documents in preparing for the WGETI meetings and are strongly encouraged to participate actively in the different sessions. For discussions to be as informed as possible, participants are invited to circulate working papers ahead of the meeting via the ATT Secretariat.

Indicative programme of work for the meeting

The second meeting of the WGETI will take place on 02-03 April 2019 at the Centre International de Conférences Genève (CICG) in Geneva. The WGETI has two (2) full days to conduct its sessions which will be allocated as follows:

Table 1. Schedule of WGETI Sub-group meeting (April 2019)

<table>
<tr><th></th><th>02 April</th><th></th><th>03 April</th></tr>
<tr><td>10:00 – 10:15</td><td>Opening remarks by CSP4 President and WGETI Chair</td><td rowspan="2">10:00 –13:00</td><td rowspan="2">WGETI sub-working group on Article 11</td></tr>
<tr><td>10:15 – 13:00</td><td>WGETI sub-working group on Article 5</td></tr>
<tr><td>13:00 – 15:00</td><td>Break</td><td>13:00 – 15:00</td><td>Break</td></tr>
<tr><td rowspan="3">15:00 – 18:00</td><td rowspan="3">WGETI sub-working group on Articles 6 & 7</td><td>15:00 – 16:30</td><td>WGETI sub-working group on Article 11 (cont.)</td></tr>
<tr><td>16:30 – 17:50</td><td>WGETI Chair: ATT implementation and gender; WGETI next steps</td></tr>
<tr><td>17:50 – 18:00</td><td>Closing remarks by WGETI Chair</td></tr>
</table>

Yours sincerely,

Ambassador Sabrina DALLAFIOR
Chair of the ATT Working Group on Effective Treaty Implementation
Permanent Representative of Switzerland to the Conference on Disarmament

Table of Contents

ANNEX A

DISCUSSION PAPER: GENDER AND ATT TREATY IMPLEMENTATION

Gender and arms related gender-based violence is the focus theme of the ATT CSP5 Presidency. The WGETI has a key role in contributing to addressing this issue and in supporting the Presidency in its endeavour. The work undertaken on Article 7(4) implementation in the context of the sub-working-group on Articles 6 and 7 will contribute to meeting this objective.

The point was raised in the set of ATT meetings held from 29 January to 1 February that the relationship between the gender dimension and ATT implementation may not be limited to Article 7(4) but extend to other articles falling within the purview of the WGETI. Considerations and comments on this issue have so far remained of a general nature.

In order to be as exhaustive as possible in addressing the relationship between the work of the WGETI and the gender dimension, the **Chair of the WGETI will invite participants to share their views in a session dedicated to this matter**.

The objective of such an exchange would be to: 1) unpack further the relationship between gender and ATT implementation, 2) identify if and regarding which articles further work in the context of the WGETI may be warranted and 3) identify possible voluntary elements of guidance for States Parties to consider in implementing the ATT.

The discussion will focus only on the ATT articles falling within the mandate of the WGETI, meaning Articles 5 to 12 (with the exception of Articles 6 and 7 as their gender dimension is already addressed in the dedicated sub-working group).

In the context of this exchange, any consideration is of course welcome. Also, participants may want to take into consideration the following considerations and questions in approaching the discussion, which are obviously non-exhaustive.

- **Article 5** includes a number of sub-elements, such as the establishment and maintenance of a national control list and the designation of national authorities in order to have an effective and transparent national control system regulating the transfer of conventional arms.
    - Is there a gender dimension to the establishment and maintenance of a national control system? If yes, what aspects are of particular relevance and what measures are undertaken to ensure that the gender aspects are fully taken into account?
- Significant attention is being paid to the GBV dimension in any arms export decision, but far less regarding the provisions related to the role of importing States Parties (**Article 8**). In particular, Article 8 stipulates that an importing State Party shall take measures to ensure that appropriate and relevant information is provided to the exporting State Party to assist it in conducting its export assessment.
    - Is the GBV dimension a relevant consideration regarding Article 8 implementation and are there particular challenges in taking it into account in this particular case?

- Transit and transshipment (A**rticle 9**) has not yet been given close attention by the WGETI. Suggestions have been made that the WGETI should soon dedicate part of its attention on this article.

    - Considering that transit and transshipment can constitute a weak point in the transfer chain, is there a relationship between Article 9 and Article 7(4)?
    - Do (some) States Parties take this aspect in consideration?

- A number of States Parties have dedicated measures to regulate brokering activities (**Article 10**), applying not only the prohibitions in Article 6 but also risk assessments using criteria in Article 7. including Article 7(4).

    - Would there be value in underlining the importance of applying Article 7(4) when conducting a risk assessment for applications for authorization to undertake brokering activities in relation to a particular transfer?
    - Are brokers aware as a rule of the gender dimension of arms and exports and if no, what measures could be considered to fill this void?

- The relationship between **Article 11** and the gender dimension has already been underlined. For instance, the Committee on the Elimination of Discrimination against Women noted in 2013 already noted that *diverted arms from the legal trade can have a direct or indirect effect on women as victims of conflict-related gender-based violence, as victims of domestic violence and also as protestors or actors in resistance movements.*

    - How can this aspect best be addressed when implementing Article 11, including with regard to assessing and mitigating risks?
    - Is there a gender dimension to diversion itself, for instance regarding entities involved such as brokers, transporters, ….?
    - Should this aspect of diversion be addressed as part of the sub-working group on article 11 in the period following CSP5?

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ANNEX B

DISCUSSION PAPER: WGETI KEY FOCUS IN THE PERIOD FOLLOWING CSP5

Upon establishing the WGETI as a standing body, CSP3 indicated that the following implementation priorities should be the initial focus of its work:

a. Article 5 (General Implementation) obligations (measures and steps necessary to implement the article, including the establishment of national control system, national control lists, legislative framework, national competent authorities and national points of contact).

b. Articles 6 (Prohibitions) and 7 (Export and Export Assessment) practical implementation (national structures and processes required to implement the articles, experiences made in implementing the articles).

c. Article 9 (Transit or trans-shipment).

d. Article 11 (Diversion).

e. Article 12 (Record keeping).

f. Interagency cooperation or communication.[1]

With due regard to the complexity and the long-term nature of Treaty implementation, CSP3 also directed the WGETI to further refine the order of the priority topics.

After careful consideration, consultations and taking into account the time available, the Chair of the WGETI decided to focus work between CSP3 and CSP4 on three issues, namely Article 5, Articles 6 and 7 as well as Article 11. It also decided that these issues would be addressed in sub-working groups led by dedicated facilitators with the objective of achieving concrete results.

CSP4 validated the merit of addressing the implementation of specific ATT articles in dedicated sub-working groups. It also underlined the importance of continuing efforts on Article 5, Articles 6 and 7 as well as Article 11 implementation, noting that they required further attention. In this context, the WGETI continued working on the same set of articles and maintained its approach in the period towards CSP5.

As in years past, there would be **value in the upcoming CSP providing guidance to the WGETI regarding the implementation challenges that it should address in priority going forward**. For CSP5 to take an informed decision, the **Chair of the WGETI will invite participants to share their views in a session dedicated to this matter**.

In the context of this exchange, participants may want to take into consideration the following considerations and questions.

- The initial question is whether work should continue on Articles 5, 6 and 7 as well as 11, or whether other articles should be the focus of attention going forward. The medium-term plan elaborated regarding work that remains to be undertaken on Article 11 strongly suggests that efforts at least in this area should continue after CSP5.

[1] See ATT/CSP3.WGETI/2017/CHAIR/158/Conf.Rep, Annex B.

- Articles 6 and 7 are at the very heart of the Treaty. Work on these articles have notably focused on regular presentations by States Parties how they implement these articles. It has also focused on specific sub-items of these articles.
    - Should we endeavour to continue the practice of national presentations? If yes, could it be useful to develop some form of guidance for the presentations (rotation among States Parties, specific elements to be addressed during the presentations, …) ?
    - Are there further sub-items of Articles 6 and 7 that should be addressed in upcoming WGETI meetings? If yes, what are they?

- In selecting issues to be tackled by the WGETI, the Chair has sought to maintain a balance so that issues addressed concern all categories of ATT States Parties, that is importing as well as exporting States Parties, States Parties with a high as well as a limited arms transfer profile, ….

    - Keeping this consideration in mind, would it make sense that the WGETI in the period following CSP5 addresses ATT article 9 (transit and transshipment)?
    - Should the WGETI support the idea that article 9 become of one the focus of attention, would it be useful that a medium-term plan be elaborated as has been the case for article 11 in order to better plan our efforts?

- Over the past two years, the WGETI has adopted a setting for its work consisting of three sub-working groups dealing each with a specific issue and led by a facilitator, the overall process being guided by a chair. As a rule, each of the sub-working group was allocated a time slot of three hours.

    - Should this approach be retained going forward or should changes be considered in order to improve the efficiency and impact of the WGETI?

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ANNEX C

WORK PLAN SUB-GROUP ARTICLE 5
TUESDAY, 02 APRIL 2019, 10:15-13:00

Introduction

1. Article 5 of the ATT obliges ATT States Parties to establish and maintain a national control system in order to implement the provisions of ATT, including a national control list, competent national authorities and one or more national points of contact to exchange information on matters related to the implementation of the ATT. The Sub-Working group on Article 5 was established during the CSP4 informal preparatory process to provide a platform for States to exchange views and experiences in the practical implementation of Article 5 obligations at national level.

2. The Sub-Working group made significant progress in its work during the CSP4 cycle as evident in the WGETI Chair's Report to the Fourth Conference of States Parties (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep). CSP4 endorsed the recommendations of the WGETI Chair's Report including elements relating to the work of the Sub-Working group going forward, in particular the development of a reference document to establish a national control system.

First meeting of the Sub-working group

3. The first meeting of the Sub-Working group on 29 January considered and discussed the following elements of the draft Basic Guide to establish a national control system:

a. What is a national control system?

b. Why is a national control system necessary?

c. What are the elements of a national control system?

i. Legal and regulatory framework

ii. Institutions

iii. National points of contact

4. Participants welcomed the draft Basic Guide to support states in their implementation efforts. While emphasizing that a *'one size does not fit all'* approach needs to be reflected in the Guide, there was a general sense that it forms an excellent starting point. Participants also made some concrete suggestions for enhancing the draft Basic Guide and elaborating certain areas.

Second meeting of the Sub-working group

5. The second meeting of the Sub-Working group will build on progress made in the first meeting. To that end, the second meeting will consider the revised draft Basic Guide which includes the additional section on record keeping. Furthermore, the meeting will discuss how the Sub-working group could frame its work recommendations to the Fifth Conference of States Parties.

6. Attachment 1 provides an agenda for the Sub-Working group session of 02 April 2019. Attachment 2 is the revised draft Basic Guide document to facilitate discussion of the Sub-Working

group on that day. Participants are encouraged to consider these draft documents in advance of the Sub-Working group meeting and participate actively in the discussion.

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ATTACHMENT 1

DRAFT AGENDA FOR SUB-GROUP ON ARTICLE 5
02 APRIL 2019

1. **Opening remarks (reflections and way forward)**
2. **Basic guide to establishing a national control system**
   a. General overview
3. **Section 3.d: Documentation**
   a. Section 3.d.iii: Record-keeping
      1. What records need to be kept?
      2. What type of information should be retained in records?
      3. How may records be stored?
      4. How long should records be stored?
      5. Who is responsible for keeping records?
      6. What is the role of record-keeping in reporting?
4. **Closing remarks (reflections and way forward)**

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ATTACHMENT 2

(DRAFT) BASIC GUIDE TO ESTABLISHING A NATIONAL CONTROL SYSTEM

(see separate document)

ANNEX D

WORK PLAN SUB-GROUP ARTICLES 6 and 7
TUESDAY, 02 APRIL 2019, 15:00-18:00

Articles 6 and 7 of the ATT contain some of the key provisions of the Treaty, including prohibitions that States Parties need to abide by, the rules concerning export and the requirement that export assessments are being conducted. In between themselves, the two articles contain many provisions where further discussion among States and non-governmental actors on how to implement them may be useful. It is not to be expected that practice or views will be similar on all issues, but even when they differ a broad discussion is always helpful to increase understanding of the Treaty and how to implement it. They can also help in identifying measures that could be helpful to States Parties in their implementation of these articles.

The facilitator would like to thank delegations for views and comments on the proposed next steps for the sub-working group that were circulated following its first meeting. The facilitator therefore would like to inform delegations that at the **2 April meeting of the sub-working group on articles 6 and 7, the following agenda is foreseen**:

Agenda

1. Presentation and discussion on working methods to implement Article 6 and 7 by the South African export control authority

This presentation will include, amongst others: a brief description of the South African arms export control system, with a focus on how to ensure that the prohibitions in Article 6 are respected; that the necessary risk assessments are made under Article 7 and based on what information; examples of sources used for risk assessment; need for in-house expertise available vs access to external expertise; role of other parts of government and/or ministries; possible mitigation measures; who takes the decision to grant or deny export license application – civil servants or political process.

Participants are encouraged to actively engage in the discussion with reflections and comments including possible similarities or differences with their own arms export control systems, including structure and work methods and challenges in implementing the relevant articles of the ATT.

2. Presentation by Mr Vestner, GCSP, on the findings of a study, yet to be published, on state parties' implementation of articles 6 and 7, similarities and differences.

The presentation will be followed by a Q/A session.

3. Presentation by Ms Goussac, Legal Adviser ICRC, on GBV and IHL

The presentation aims to clarify how IHL is relevant, as one component, in the risk assessment of serious acts of GBV. The presentation will be followed by a Q/A session. Delegations are encouraged to prepare by identifying their own position and practice on the matter, including what type of IHL violations can constitute GBV and under what circumstances.

4. Follow up on specific issues from the article 7.4-related discussion at the 29 January meeting

The discussions at the meeting in January on article 7.4 were broad, involved many delegations and in the comments after the meeting many delegations referred to them as being very useful. At the meeting on 2 April, the facilitator would like to follow up on some of those issues and have the following questions:

a) Several delegations underlined the value of voluntary guiding documents with regard to article 7.4. Should the working group endeavour to develop itself such documents, or should the working group simply reference such existing guidelines that have been prepared by primarily civil society organisations, to be used on a voluntary and non-mandatory basis?

b) The value of training government officials, and especially licensing officials, on issues relevant for risk assessments under article 7.4 was highlighted at the January meeting. Should specific text on this be included in the CSP5 Final Report together with encouragement to delegations to share among themselves possible training guides, to be used on a voluntary and non-mandatory basis?

c) Are there other areas linked to article 7.4 where further practical work would be warranted?

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ANNEX E

WORK PLAN SUB-GROUP ARTICLE 11 (DIVERSION)
WEDNESDAY, 03 APRIL 2019, 10:00-13:00 and 15:00-16:30

Introduction

1. The Chair of the Working Group on Effective Treaty Implementation (WGETI), Ambassador Sabrina DALLAFIOR of Switzerland, established the Sub-Working Group on Article 11 (Diversion) at the commencement of the preparatory process for the Fourth Conference of States Parties (CSP4) to the Arms Trade Treaty (ATT) in January 2018, and appointed Australia to facilitate the work of the Sub-Group in the lead up to CSP4. The Sub-Group made significant progress during its first year of work, and identified many areas to take forward (see paragraph 36 of the Report to the Fourth Conference of States Parties (CSP4) (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep) presented by the Chair of the WGETI to CSP4).

2. The Chair of the WGETI appointed Jamaica, who nominated Ms. Samantha ALLEN, to facilitate the work of the Sub-working Group on Article 11 at the commencement of the preparatory process for the Fifth Conference of States Parties (CSP5) to the ATT.

3. The Sub-working Group met on 30 January to consider a draft multi-year work plan prepared by the facilitator, derived from Annex D to the WGETI Report to CSP4 titled: *Possible measures to prevent and address diversion* (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep). The Sub-working Group also began discussions on the topic of import documentation, however, there was insufficient time to exchange views and national experiences, and it was determined there may be value in returning to this issue at the WGETI second meeting on 03 April. Further discussion will also help us identify what concrete and practical outcomes can be extracted from discussions on this topic.

Multi-year work plan

4. Comments received during the discussion on the multi-year plan during the 30 January meeting of the Sub-working Group pointed towards a need to extend the plan as some of the elements and topics to be discussed may require more time than was originally allocated to them. The facilitator amended and expanded the multi-year work plan accordingly, and a revised version was circulated to all stakeholders for comment as Annex A to the WGETI Chair's summary of the January meeting dated 21 February 2019.

5. A further revised draft of the proposed multi-year plan, incorporating additional comments received following the circulation in February, is included in Attachment 1 for consideration and discussion during the second CSP5 meeting of the Sub-working on Article 11 on 03 April 2019.

6. Participants are also welcome to submit their written comments and suggestions to the facilitator through the ATT Secretariat at: info@thearmstradetreaty.org. A final version of the multi-year work plan incorporating comments and inputs compiled by the facilitator will be presented to the CSP5 in August 2019, with a view to its endorsement/adoption at CSP5.

Import documentation

7. Following a discussion on the multi-year work plan, the meeting on 03 April will continue the discussion on *import documentation*. The facilitator has developed a background paper (see Attachment 2) to facilitate further discussion on import documentation.

8. Regarding this discussion, the facilitator would like to invite participants to consider the different elements and questions put to participants in the background paper (which elaborate on those highlighted in the workplan). The intention is to exchange information and experiences and to identify common practices relating to this topic, including the process for preparing such documentation and agencies involved, as well as challenges faced by States, with a view to identifying areas where proposals may be put to CSP5 for possible adoption or endorsement.

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ATTACHMENT 1

DRAFT MULTI-YEAR WORK PLAN FOR THE WGETI SUB-WORKING GROUP ON ARTICLE 11 (DIVERSION)

1st CSP5 Preparatory Meeting, 30 January 2019		
	10.00-11.00	**Draft Multi-year Work Plan** Introduction by facilitator Open discussion *In reviewing the draft proposed multi-year plan, participants are invited to consider, amongst others, the following questions:* *a. Has sufficient time has been allocated to each topic?* *b. Have any topics been omitted that should be included?* *c. Has any consideration been omitted?*
Transfer chain stage 1: Before the transfer	**11.00-13.00**	**1. Import documentation[2]** *This discussion will explore the types of written documentation submitted as part of an application for an export licence from the exporting State (such as contracts or agreements, international import certificates, transit approvals, end-use/r certificates (EUCs), and various other assurances). It will consider:* - *What types of written documents exist?* - *How are such documents prepared? Which ministries and agencies are involved?* - *What is the role and/or responsibilities of the importing State regarding such documents?* - *What is the role and/or responsibilities of the transit/transhipment State(s)?* - *What is the role and/or responsibilities of the brokering State(s)?* - *What is the role of the exporting State (i.e. verification and authentication as part of diversion risk assessment)?* - *In practice, what are the common elements of such documents? What assurances are provided? What is the minimum that should be required?* *It will also examine the role of **information exchange** in verifying and authenticating import documentation and identify the types of information exchange that are relevant and necessary.*

[2] Paragraphs 3, 6 and 7 of the Sub-working group paper : *Possible measures to prevent and address diversion* (available in other languages here).

<table>
<tr><th colspan="3">2nd CSP5 Preparatory Meeting, 03 April 2019</th></tr>
<tr><td rowspan="2">Transfer chain stage 1: Before the transfer</td><td>3 hours</td><td>2. Import documentation[3] (continued)

This discussion will continue to explore the types of written documentation submitted as part of an application for an export licence from the exporting State (such as contracts or agreements, international import certificates, transit approvals, end-use/r certificates (EUCs), and various other assurances). The Facilitator will circulate a background paper in advance of the 2nd series of CSP5 meetings to facilitate discussion, including the following elements:

- What types of written documents exist?
- How are such documents prepared? Which ministries and agencies are involved?
- What is the role and/or responsibilities of the importing State regarding such documents?
- What is the role and/or responsibilities of the transit/transhipment State(s)?
- What is the role and/or responsibilities of the brokering State(s)?
- What is the role of the exporting State (i.e. verification and authentication as part of diversion risk assessment)?
- In practice, what are the common elements of such documents? What assurances are provided? What is the minimum that should be required?
- What sanctions do exporting States impose for non-compliance with end-use/r assurances and undertakings?

It will also examine the role of information exchange in verifying and authenticating import documentation and identify the types of information exchange that are relevant and necessary.

- How do exporting States verify and authenticate import documents as a part of a broader risk assessment framework?
- What mechanisms are used?
- Which agencies are involved?
- How long does it take?
- What steps are taken if the documentation is found to be fraudulent?</td></tr>
<tr><td>1 hour</td><td>3. The role of the private sector in import documentation

This discussion will explore the role of the private sector, including arms manufacturers/industry and civil society, in mitigating diversion risk before the physical transfer takes place. It will also examine the role of internal export control compliance programmes.</td></tr>
</table>

[3] Paragraphs 3, 6 and 7 of the Sub-working group paper : *Possible measures to prevent and address diversion* (available in other languages here).

		- *What is the role of industry in helping State agencies verify and authenticate import documentation?* - *What could be done to encourage industry to develop internal control compliance programmes?*

1st CSP6 Preparatory Meeting, (*date TBC*)		
Transfer chain stage 1: Before the transfer	**3 hours**	**4. Assessing the risk of diversion[4]** *This discussion will explore the practicalities (including resource requirements and challenges) associated with assessing the risk of diversion of an export and the possible establishment of mitigation measures. The Facilitator will circulate a background paper in advance of the 1st series of CSP6 meetings to facilitate discussion, including the following elements:* - *How to undertake consistent and objective transfer risk assessments that take into account the risk of diversion (Articles 7(1) and 11(2));* - *How to identify certain diversion risk indicators;* - *How to establish the legitimacy and credibility of all parties involved in the transfer, such as the exporter, brokers, shipping agents, freight forwarders/intermediate consignees and stated end-use/r (Article 11(2));* - *How to examine the risks arising from the proposed shipment arrangements;* - *How to assess the reliability of controls in the importing country and the transit country (if applicable); and* - *How to examine the risk that a conventional arms transfer would increase the risks of diversion of the existing holdings of the end-user.* - *What are the options for mitigating detected risk(s)?* *It will also examine the role of information and **information exchange** in conducting a risk assessment and identify the types of information and mechanisms of information exchange that are relevant and necessary.*

[4] Paragraph 5 of the Sub-working group paper : *Possible measures to prevent and address diversion* (available in other languages here).

	1 hour	**5. The role of the private sector in mitigating diversion risk** *This discussion will explore the role of the private sector, including arms manufacturers/industry and civil society, in mitigating diversion risk before the physical transfer takes place. It will also examine the role of internal export control compliance programmes.*
2nd CSP6 Preparatory Meeting, (*date TBC*)		
Transfer chain stage 1: Before the transfer	**3 hours**	**6. Assessing the risk of diversion[5] (continued)** *This discussion will continue to explore the practicalities (including resource requirements and challenges) associated with assessing the risk of diversion of an export and the possible establishment of mitigation measures, including the following elements:* - *How to undertake consistent and objective transfer risk assessments that take into account the risk of diversion (Articles 7(1) and 11(2));* - *How to identify certain diversion risk indicators;* - *How to establish the legitimacy and credibility of all parties involved in the transfer, such as the exporter, brokers, shipping agents, freight forwarders/intermediate consignees and stated end-use/r (Article 11(2));* - *How to examine the risks arising from the proposed shipment arrangements;* - *How to assess the reliability of controls in the importing country and the transit country (if applicable); and* - *How to examine the risk that a conventional arms transfer would increase the risks of diversion of the existing holdings of the end-user.* - *What are the options for mitigating detected risk(s)?* *It will also examine the role of information and **information exchange** in conducting a risk assessment and identify the types of information and mechanisms of information exchange that are relevant and necessary.*
	1 hour	**7. Discussion on paper outlining elements of a process for assessing the risk of diversion** *The Facilitator will circulate a paper in advance of the 2nd series of CSP6 meetings outlining the elements of a process for assessing the risk of diversion, based on the discussion that took place during the 1st meeting, for consideration and possible adoption at CSP6.*

[5] Paragraph 5 of the Sub-working group paper : *Possible measures to prevent and address diversion* (available in other languages here).

1st CSP7 Preparatory Meeting, (*date TBC*)		
Transfer chain stage 2: During the transfer	**3 hours**	**1. The role of transit and transhipment States in preventing diversion** *This discussion will explore the measures that can and are being taken by transit and transhipment States to mitigate the risk of diversion during a transfer. The Facilitator will circulate a background paper in advance of the 1st series of CSP7 meetings to facilitate discussion, including the following elements:* - *Issuing delivery notification (through delivery receipts signed by the importations customs service, delivery verification certificate, etc.) (Article 11(3));* - *Conducting routine risk assessment or due diligence checks on conventional arms shipments, in cooperation with local, regional or international law enforcement organizations and other regulatory agencies, prior to approval of transfers; and* - *Monitoring and protecting conventional arms shipments, in cooperation with customs service, law enforcement and other industry parties involved (e.g. freight forwarders/intermediate consignees, transporters etc).* *It will also examine the practical and legal challenges faced by transit and transhipment States in preventing diversion during transit (by sea, air or land – road and rail), as well as the role of cooperation and **information exchange** among States involved in a transfer during the transfer phase and identify the types of information exchange that are relevant and necessary.* - *What mechanisms are used in ensuring cooperation and information exchange to mitigate diversion?* - *Which ministries or agencies are involved in the information exchange process?* - *Are there national legal restrictions that can impact the information exchange process?*
	1 hour	**2. The role of the private sector in mitigating diversion risk** *This discussion will explore the role of the private sector, in particular transporters (road, rail, air and sea), freight forwarders/intermediate consignees, etc mitigating diversion risk during transfer.*

2nd CSP7 Preparatory Meeting, (*date TBC*)		
Transfer chain stage 3: At or after importation / Post-delivery	**2 hours**	**1. The role of importing States in preventing diversion** *This discussion will explore the measures that can and are being taken by importing States to mitigate the risk of diversion post-delivery, including* - *Issuing delivery notification by the importing State (through delivery receipts signed by the importations customs service, delivery verification certificate, etc.) (Articles 8(1) and 11(3));* - *Registering and maintaining records of conventional arms entering their national territory, as well as the secure transfer of these to the authorised end-user (Article 12 (2)); and* - *Ensuring robust stockpile management procedures (including routine security inspections and audits of the conventional arms stockpiles of all end users).* ***Note:*** *it is anticipated that the topic of post-delivery storage and stockpile management would be discussed as part of a future multi-year work plan that will address Transfer chain 4.* - *Effective legislation for investigating and/or punishing diversion-related offences.*
	2 hours	**2. Post-delivery cooperation** *This discussion will explore the possibility of exporting States conducting post-delivery checks in cooperation with competent authorities in the importing State to verify compliance with end-use conditions, such as the condition that no re-export can take place without prior notification to the country of origin. It will examine the political and resource implications of such checks.* - *What are some challenges/concerns regarding post-delivery cooperation?*

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ATTACHMENT 2

BACKGROUND PAPER TO FACILITATE DISCUSSION ON IMPORT DOCUMENTATION

INTRODUCTION

1. The Sub-working Group on Article 11 (Diversion) discussed the topic of import documentation during its meeting on 30 January 2019. Following presentations by UNIDIR and Bulgaria, there was an extensive Q/A session, and many interesting ideas were put forward. However, there was insufficient time to exchange views and national experiences in the context of import documentation, and accordingly the Facilitator of the Sub-working Group determined that there would be value in returning to this issue at the WGETI second meeting in April 2019. Further discussion will enable participants to not only exchange views and experiences on the topic in greater detail, but will also help the Sub-working Group identify what concrete and practical outcomes can be extracted from discussions on this topic. It is the hope and expectation of the Sub-working Group Facilitator that concrete recommendations on the topic of import documentation can be proposed by the Sub-working Group to CSP5 for possible endorsement or adoption.

2. The aim of this paper is to help frame the topic and orient the issue to facilitate a more detailed, focused discussion among participants during the April meeting, with a view to helping the Facilitator identify concrete recommendations to take forward to CSP5.

BACKGROUND

3. The WGETI Chair's Draft Report to CSP4 (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep) included an Annex on 'Measures to prevent and address diversion', which included an indication of essential and optional elements for EUC (see Annex A of this paper). The Annex also called for the authentication and verification of the documentation before authorizing a transfer, but did not provide details. This background paper elaborates on this initial exploration of the issue of EUC and other relevant documentation by the WGETI sub-working group on diversion / Article 11.

4. Much of the content of this background paper was extracted/derived from the multi-year studies conducted by UNIDIR[6], which drew extensively on a review of national practices and multilateral standards and guidelines on the issue of end use/r controls. The Facilitator wishes to express her appreciation for the extensive research undertaken by UNIDIR in this area, which has established an excellent starting point for discussion on this issue in the ATT setting. It is her profound hope that the Sub-working Group on Article 11 can build on and take forward the work already completed by UNIDIR.

5. The UNIDIR's research, guided by an informal expert group, extensive survey, and series of regional consultations, considered a range of areas in which the development of common understandings, alignment and cooperation in end use/r control systems could contribute to addressing the diversion of conventional arms. It identified four areas in which a process for developing common understandings, alignment and cooperation could be feasible[7]:

- Definition of key terms;

[6] *Examining Options to Enhance Common Understanding and Strengthen End Use and End User Control Systems to Address Conventional Arms Diversion* (2016) and *Strengthening End Use/r Control Systems to Prevent Arms Diversion: Examining Common Regional Understandings* (2017).

[7] UNIDIR, *Examining Options to Enhance Common Understanding and Strengthen End Use and End User Control Systems to Address Conventional Arms Diversion*, 2016, P. 87.

- Details of items, end use and end use/r to be provided to export control authorities;
- Types of assurances to be provided by the end user/importer; and
- Role and functions of end use/r documentation.

6. While it will/may not be possible to reach agreement or develop common understandings on each of these areas within the scope of the April meeting of the Sub-working Group on Article 11, the Facilitator feels that these four key areas form a useful basis for framing the Sub-working Group discussions, with a view to exploring whether a shared understanding or common approach to any of the areas could be achieved in an ATT context.

TERMINOLOGY

7. End use/r documentation 'comprises documents whose purpose is to identify, authorize, commit to certain undertakings and verify delivery'. There is no single name for end use/r documentation, with one study identifying the following names: "end user certificate", "end use certificate", "end use statement", "end use assurance" and "end user undertaking".

8. A distinction is usually made between end use/r documentation covering arms transfers to State end users and for transfers to non-State end users (e.g. commercial entities). In cases where the recipient is a State entity (e.g. armed forces, police), the relevant State authorities are generally expected to issue an "end user certificate" (EUC), which is provided to the exporter or relevant authorities in the exporting State.

9. For transfers to non-State entities, an import licence or an International Import Certificate (IIC) can be provided to demonstrate that the competent authorities in the importing State have authorized the proposed arms import. An end use/r statement (EUS) is issued by the non-State entity that is importing the arms or for which the arms are being imported. See Box 1 for an overview of terms used in this context.

Box 1. Glossary of terms[8]

Import licence: issued by the relevant import control authorities in the State in which the non-State consignee/end user is located, authorizing the transfer of controlled items to a named non-State entity.

International import certificate (IIC): 'a standardized certificate accepted by some States through bilateral or multilateral agreements, such as through the North Atlantic Treaty Organization and the European Union, which is signed and stamped by the importing Government's authorities to confirm that the importing Government is aware of, and does not object to, the proposed transfer of arms or dual-use items to the commercial entity or individual'.[9] An IIC represents an assurance by the importer not to divert, trans-ship or re-export the items without an export licence or authorization from the relevant authority in the importing State

End use/r statement (EUS): an end use/r document that is comparable to a State-issued EUC in terms of content and assurances on end use and reexport, but which is issued by the non-State entity that is importing the arms or for which the arms are being imported. As noted above, there are a variety of names for such documents, but this report follows the practice of using the term EUS to refer to

[8] UNIDIR, *Examining Options to Enhance Common Understanding and Strengthen End Use and End User Control Systems to Address Conventional Arms Diversion*, 2016, p. 42-43.

[9] Brian Wood and Peter Danssaert, *Study on the Development of a Framework for Improving End Use and End User Control Systems*, United Nations Office for Disarmament Affairs Occasional Papers No. 21, December 2011, p. 10.

privately-issued end use/r documentation.[10] Best practice guidelines also recommend that the EUS should either be printed on an official form provided by the relevant national authority in the importing State or an official letterhead of the entity that provides the EUS.[185]

Questions for participants:

1. What other types of written documents exist or are used?
2. Do States distinguish between documentation covering arms transfers to State end-users and transfers to non-State end-users? What are the different considerations that apply?
3. Does your State have a national template (or templates) for EUC or other end use/r documentation? Are the competent government authorities seeking to import arms required to use the template(s)? Does your State have a different template for State end-users to the one required for non-State end-users?
4. Is there a shared (or clear) understanding of terms such as 'end-user'?

PREPARATION OF DOCUMENTATION

10. A solid legal framework is needed for an effective national end use/r control system. As part of this system, it is important that States define the roles and responsibilities of national entities involved in maintaining an effective system as well as the roles and functions of end use/r documentation in the system. The UNIDIR study identified that inter-agency cooperation is particularly important for ensuring control. Poor cooperation between different national agencies was raised as a particular concern in certain regions.

11. In addition, in terms of the *form* of import documentation, some States have electronic licensing systems, whereas other states continue to request hard copies of end use/r documentation to be submitted with export licence applications.

Questions for participants:

1. How are EUCs and other import documents prepared?
2. Which ministries and agencies are involved? How do they cooperate and coordinate?
3. Who is authorized to sign end use/r documentation for transfers to States? For transfers to non-State entities?
4. Do importing states have a centralized system for EUC / import licence authorization and a database or list of entities/persons authorized to sign EUCs?
5. Would importing states be willing to share such information with ATT States Parties via the restricted access section of the ATT website, and ensure it is up-to-date?
6. Could ATT National Points of Contact play a role in confirming authenticity of EUCs?
7. With respect to documentation by commercial/non-State entities, do competent authorities in importing states have systems in place to certify / indicate that the proposed import is authorized by the government?
8. Do all agencies use the same EUC template/document?
9. Are the EUCs paper-based or electronic? What are the pros and cons of each system? What does this mean for the authentication process?
10. What measures do importing states take to certify / assure competent authorities in exporting States that the documentation is legitimate? (i.e. apostille?)

[10] 6.3 End-user statement', United Nations Coordinating Action on Small Arms (UN CASA), *Modular small-arms-control Implementation Compendium, 03.21: National Controls over the End User and End Use of Internationally Transferred Small Arms and Light Weapons*, 17 June 2014, pp. 6–8.

INFORMATION / CONTENT OF EUCs

12. The WGETI Chair's Draft Report to CSP4 (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep) included an Annex on 'Measures to prevent and address diversion' (Annex D), which included an indication of essential and optional elements for EUC (see Annex A of this paper). UNIDIR's study determined that existing best practice guidelines are in general agreement on key/essential information to be provided to export control authorities as part of an application for authorization to export arms. These guidelines also indicate optional information that could be requested, depending on the sensitivity of the items, end-user, and/or destination. The OSCE, for example, has developed a 'template EUC for international transfers of SALW', which includes essential and optional information as outlined in OSCE best practices, for use by OSCE participating States that do not have template EUC.

13. The study also found that most of the exporting States that participated in the UNIDIR study provide an export licence applicant with a template or checklist of information to be included in the end use/r documentation, which contains many of the same required details on end use/r, items, entities involved in the transfer, unique identifiers, and assurances. Participants in the study – including exporters and importers - agreed that an international process on the contents of end use/r documentation to develop a checklist of 'essential elements' was feasible.

14. Annex B includes the table of recommended types of information and assurances for end use/r documentation compiled by the UNIDIR study.

Questions for participants:

1. What information do States include in their EUCs?
2. What is the *minimum or essential* information that should be included? Are there elements/information missing from the table in Annex B?
3. What additional information could be useful to request and why?
4. Is there scope for adopting/endorsing a list of essential and optional information to be included in an EUC for use by ATT States Parties, as required, for use by States Parties on a voluntary basis?

END USE/R ASSURANCES

Types of end use/r assurances

15. UNIDIR's research found that States seek and provide assurances in end use/r documentation or commercial contracts on:

1. End use of items;
2. End user or location of use;
3. Re-export; and
4. Confirmation of delivery or post-shipment inspections.

16. UNIDIR's analysis of a range of best practice guidelines in this area concluded that 'the only common essential element for all of the best practice guidelines relates to an undertaking or assurance that the items will only be used by the declared end user for the declared end use'.[11]

[11] UNIDIR, *Examining Options to Enhance Common Understanding and Strengthen End Use and End User Control Systems to Address Conventional Arms Diversion*, 2016, p. 49.

17. Nevertheless, several interventions during the first Sub-working Group on Article 11 (Diversion) meeting on import documentation on 30 January 2019 highlighted that there is a request for a delivery verification certificate in an EUC or contract, issued by a competent authority in the importing state (usually the customs authority) to indicate that the delivery of conventional arms has been received by the intended end user. The Annex on 'Possible measures to prevent and address diversion' also introduced considerations on physical checks of the stockpile management and security locations for the arms being delivered, marking for SALW, and agreement on modes of disposal of the conventional arms when considered surplus by the importing state.

18. The UNIDIR Study also noted that all guidelines recommend an optional provision of prohibiting re-export, and identified the following types of re-export clause:

- Prohibition of re-export;
- Prohibition of re-export unless prior approval has been given by the original exporting State that re-export is permitted under certain conditions, such as authorization from the export licensing authorities of the State in which the end user/importer is located; or
- An assurance that re-export will only take place after authorization has been received from the export licensing authorities of the original exporting State.

Some states require only a *notification* of an intended re-export (rather than authorization).

19. Other recommendations for optional assurance elements in the best practice guidelines are highlighted in Annexes A and B.

Questions for participants:

1. What other types of assurances do States request?
2. Do States request different assurances for different types of *transfer*? E.g. if arms or ammunition are delivered as part of military aid or donation versus if they are purchased by the importing State.
3. Do States request different assurances for different types of *arms/items*? E.g. One of the findings of the UNIDIR study is that, with respect to MANPADS, some exporting States already seek assurances before authorizing exports of MANPADS on safe and secure storage and transportation to prevent their diversion to unauthorized non-State end users.
4. Do States require small arms and light weapons to be marked on import as a condition of an export (to facilitate tracing and serve as a diversion-prevention measure)? Could this be a recommended condition imposed?
5. Is it possible/feasible for States Parties to the ATT that export weapons to agree to explicitly request assurances that recipients use the imported items in accordance with provisions contained in articles 6, 7 and 11 of the ATT even if the recipient is not a State Party to the Treaty?

Compliance with end use/r assurances

20. Some of the reasons identified by the UNIDIR study as to why end use/r assurances are not respected in practice include the fact that in some instances assurances on end use or re-export are not widely understood by the importing State or are simply ignored, adherence to assurances is not monitored by the exporting State, and actions are not taken when reports of violations are presented to the exporting State and international community. In many instances the re-export or re-transfer of the arms or items takes place many years after the original transfer and the end use/r assurance documentation may be lost, misplaced or forgotten. In addition, importing States may feel it is their

sovereign right to determine their own preferred method for the disposal of surplus arms and ammunition.

Questions for participants:

1. What challenges or obstacles do importing States face in complying with end use/r assurances?
2. What are the options for ensuring importing States stay aware of the assurances they have made?
3. How do exporting States record or keep track of assurances?
4. Do exporting States monitor and actively follow up on the adherence to end-use/r assurances? If so, how? If not, why not?
5. Is it possible/feasible to have a centralized database of EUCs that have been issued (at the regional and/or international level)?
6. What sanctions do exporting States impose for non-compliance with end-use/r assurances and undertakings? E.g. are States that do not comply with end use/r assurances 'blacklisted' for future transfers?

OPTIONS FOR VERIFICATION AND AUTHENTICATION

21. Some of the ways in which inadequate end use/r control systems have been evaded to divert arms to unauthorized end users that were identified by the UNIDIR study include:

- *End use/r documentation is not authenticated by exporting States*, and forgeries are used to acquire export licences to divert arms. Authentication consists of the exporting State authorities checking 'the authenticity of the signature, the capacity in which the person certifying the document has acted and, where appropriate, the identity of the seal or stamp which it bears'[12]. To assist in this process, the exporting State's diplomatic mission in the prospective importing State could carry out or play a role in the assessment. States should provide sufficient resources and training to relevant staff to enable the identification of false documentation;
- *End use/r documentation is not verified by exporting States*, with information missing or which should prompt the exporting State to conduct a thorough investigation of the proposed transfer. The process of checking the accuracy of information contained in end use/r documentation is referred to as *verification*. In general, a thorough risk assessment will subject information contained in the end use/r documentation to a verification process that includes a cross-check with intelligence and databases held in the exporting State, lists of sanctioned entities, as well as with open source
- *Lack of information sharing*. In addition, requesting information from the importing State and sharing information with transit and transhipment States and other stakeholders (e.g. arms exporting companies and shipping companies) can also help to reduce the risk of diversion.

Questions for participants:

1. How do exporting States verify and authenticate import documents as a part of a broader risk assessment framework ?
2. What mechanisms are used?

[12] Brian Wood and Peter Danssaert, *Study on the Development of a Framework for Improving End Use and End User Control Systems*, United Nations Office for Disarmament Affairs Occasional Papers No. 21, December 2011, p. 10.

3. Which agencies are involved?
4. Do competent authorities in the exporting and importing States cooperate? How?
5. How long does it take?
6. What steps are taken if the documentation is found to be fraudulent? Could this information be shared to ATT States Parties via the restricted part of the website, on a voluntary basis? What other measures could be undertaken for ATT States Parties to ensure the authenticity of end use/r documentation received?
7. Does the process of verifying and authenticating import documents differ if the end user is a State or a non-State entity? Should the process be different for each?
8. Is there scope for establishing voluntary standards and a verification process for end use/r documentation, IICs and import licences for non-State end users?

WAY FORWARD

22. If there is agreement at the April meeting, the Facilitator proposes to focus recommendations of the Sub-working group to the Conference of States Parties on the following areas:

a. Specific mandate for the Sub-working in the CSP6 cycle (confirmation of the workplan).

b. Document setting out basic elements of EUC as part of import documentation.

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ANNEX A. DETAILS RECOMMENDED FOR INCLUSION IN AN EUC[13]

Element	Essential	Optional
Parties involved in the transfer	• details of the exporter and end-user, such as name, business name, address, phone, etc.	• details of the intermediate consignee and final consignee
Goods to be transferred	• description; • reference to contract, purchase order, invoice or order number; • quantity and/or value.	
End-use	• indication of end-user; • undertaking, where appropriate, that the goods will not be used for purposes other than the declared end-use and/or used for Chemical Biological Radiological and Nuclear (CBRN) etc.	
Location		• certification that goods are to be installed at/used at premises of end-user; • agreement to on-site inspections.
Documentation	• signature, name, title of consignee/end-user representative; • original or legally-certified copy.	• signature and certification by government of final consignee/end-user and only by specific representatives of that government; • unique identifier/number provided by the government authority; • validity terms and date of issue; • kept with conventional arms all along the transfer
Re-export / diversion		• an undertaking not to re-export/transship at all, or at least not without notification or express permission from

[13] Table in paragraph 7 of Annex D to the WGETI Chair's Draft Report to CSP4 (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep).

		original exporting state's competent authorities
Delivery verification		• provide a Delivery Verification Certificate / proof of arrival

ANNEX B. RECOMMENDED TYPES OF INFORMATION AND ASSURANES FOR END USE/R DOCUMENTATION

Table 1. Recommended types of information and assurances for end use/r documentation[14]

Details/contents	Recommendations contained in guidelines produced by:				
	European Union	**Wassenaar Arrangement**	**Organization for Security and Co-operation in Europe (OSCE)**	**International Small Arms Control Standards (ISACS)**	**Regional Centre on Small Arms (RECSA)**
Essential elements					
Details of the exporter (at least name, address and business name)	X	X	X	X[a]	X
Details of the end use/r (at least name and address)	X	X	X	X	X
Contract number or order reference and date	-	-	X	X[a]	-
Country of final destination	X	X	X	X	-
Description of the goods being exported (type, characteristics) or reference to the contract concluded with the authorities of the country of final destination	X	X	X	X	X
Quantity and/or value of the exported goods	X	X	X	X	X
Signature, name and position of the end user's representative	X	X	X	X	-
Date of issue of the EUC	X	X	X	X	-
Description of the end use of the goods	X	X	X	X	X

[14] UNIDIR, *Examining Options to Enhance Common Understanding and Strengthen End Use and End User Control Systems to Address Conventional Arms Diversion*, 2016, p. 18-20.

Additional or optional elements					
Full details, where appropriate, of any intermediaries involved in the transfer	X	X	X	-	X[b]
Name, address and contact details of the government agency issuing the certificate	-	X	X[c]	X[c]	-
Date of expiration of the EUC	-	-	X	X[d]	-
Register number for the EUC	-	-	X	X[d]	-
Assurance					
Essential elements					
An undertaking, where appropriate, that the goods being exported will not be used for purposes other than the declared use	X	X	X	X	X
An undertaking that the declared end user will be the ultimate recipient of the goods being exported	-	-	X	X	X
Additional or optional elements					
Clause prohibiting re-export of the goods covered in the certificate	X	X	X	X[b]	X
Commitment by the importer to provide the exporting state with a delivery verification on request	X	X	X	X	-
Certification that the goods will be installed at the premises of the end user or will be used only by the end user	-	X	-	X	-

Agreement by the importer/end user to allow on-site verification	-	X	-	X	-
Assurance from the importer/end user that any re-exports will only be carried out under the authority of the importer's/end user's export licensing authorities	-	X	-	X[b]	-
An undertaking from the importer/end user not to divert or relocate the goods covered by the end use certificate/statement to another destination or location in the importing country	-	X	-	X[b]	-

Notes:

[a] Regarded as an optional element in the ISACS module and should be included if known.

[b] Regarded as an essential element in the ISACS module and RECSA guidelines.

[c] Regarded as an essential element in the ISACS module and OSCE best practices guidelines.

[d] Regarded as an essential element in the ISACS module.

- Element that is not included.

Sources: Adapted from: M. Bromley and H. Griffiths, "End User Certificates: Improving Standards to Prevent Diversion", Stockholm International Peace Research Institute (SIPRI), SIPRI Insights on Peace and Security, March 2010, p. 4. See also: Council of the European Union, *User's Guide to Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment*, EU document 9241, 29 April 2009; United Nations Coordinating Action on Small Arms (UN CASA), *International Small Arms Control Standard (ISACS) 03.20: National Controls over the International Transfer of Small Arms and Light Weapons,* United Nations, 17 June 2014; United Nations Coordinating Action on Small Arms (UN CASA), *International Small Arms Control Standard (ISACS) 03.21: National Controls over the End User and End Use of Internationally Transferred Small Arms and Light Weapons,* United Nations, 17 June 2014; Organization for Security and Co-operation in Europe (OSCE), "Best Practice Guide on Export Control of Small Arms and Light Weapons", in H*andbook on Best Practices on Small Arms and Light Weapons*, 2003, pp. 53–54; Organization for Security and Co-operation in Europe (OSCE), *Forum for Security Co-operation, Decision No. 5/04: Standard Elements of End User Certificates and Verification Procedures for SALW Exports*, OSCE document FSC/DEC/5/04, 17 November 2004; Regional Centre on Small Arms and Light Weapons (RECSA), *Best Practice Guidelines for the Implementation of the Nairobi Declaration and Nairobi Protocol on Small Arms and Light Weapons*, 2005; Wassenaar Arrangement, *End User Assurances Commonly Used: Consolidated Indicative List*, adopted in 1999, revised in 2005; Wassenaar Arrangement, *Introduction to End User/End Use Controls for Export of Military-List Equipment*, adopted in July 2014.